

**Business of the Village Board  
Village of Saranac Lake**

SUBJECT: Adopt Amendment to Village Code                      Date: 3/11/2024

DEPT OF ORIGIN: Village Manager                      Bill # 37-2024

DATE SUBMITTED: 3/4/2024                      EXHIBITS:

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney

\_\_\_\_\_  
Village Administration

EXPENDITURE  
REQUIRED: \$

AMOUNT  
BUDGETED: \$

APPROPRIATION  
REQUIRED: \$

\_\_\_\_\_  
SUMMARY STATEMENT:

Resolution to adopt Local Law # 2 of 2024 amending the Village Code Chapter 21 "Sewers"

MOVED BY: Scollin                      SECONDED BY: Shapiro

VOTE ON ROLL CALL:

MAYOR WILLIAMS

yes

TRUSTEE SHAPIRO

yes

TRUSTEE BRUNETTE

yes

TRUSTEE CATILLAZ

yes

TRUSTEE SCOLLIN

yes

**RESOLUTION TO ADOPT LOCAL LAW # 2 OF 2024  
AMENDMENTS TO CHAPTER 21 “SEWER” OF THE VILLAGE OF SARANAC LAKE CODE**

**WHEREAS**, the Village of Saranac Lake DPW Superintendent is recommending the attached amendments to Chapter 221 “Sewer” of the Village Code, and,

**WHEREAS**, the Village Board of Trustees held a Public Hearing to consider the Local Law amending the Village Code on Monday, March 11, 2024 at 5:30 PM, and,

**WHEREAS**, it has been determined that the amendment to the Village Code is a type II action for the purposes of SEQRA and requires no environmental review.

**THEREFORE, BE IT RESOLVED**, the Board of Trustees approves the adoption of Local Law # 2 of 2024 to amend the Village Code Chapter 21 “Sewer.”

**§ 221-21. Connection to public sewer.**

- A. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Manager or agent before installation.
- B. Connections to public sanitary or combined sewers will require a check valve to be installed on all new sanitary sewer laterals. A check valve will be required to be installed on all repairs or replacements of sanitary sewer laterals. The maintenance and cost will be that of the property owner for the sewer lateral, including the check valve. Check valves will be placed solely on the property owner’s land. No check valves will be permitted in the roadway, alley way or sidewalks maintained or owned by the Village of Saranac Lake.

**§ 221-25. Discharge of stormwater; unpolluted drainage, controlled.**

- A. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or, to a natural outlet approved by the Manager. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Manager, to a storm sewer, combined sewer, or natural outlet.
- B. Connections to the public storm water system will require a check valve to be installed on all new connections. A check valve will be required to be installed on all repairs or replacements of storm water connections, including roof drains, sump pumps, floor drains etc. Maintenance and cost will be that of the property owner for the storm water line, including the check valve. No check valves will be permitted in the roadway, alley way or sidewalks maintained or owned by the Village of Saranac Lake.

**THEREFORE, BE IT RESOLVED**, the Village Board of Trustees hereby adopts Local Law # \_\_\_ of 2024 amending the Village Code Chapter 21: Sewer.

**BE IT FURTHER RESOLVED**, this Local Law shall take effect immediately upon filing with the New York State Secretary of State.

## Chapter 221

### SEWERS

#### ARTICLE I Definitions

§ 221-1. Definition of terms used.

#### ARTICLE II Use of Public Sewers Required

- § 221-2. Unsanitary deposit of waste prohibited.
- § 221-3. Discharge of untreated wastes prohibited.
- § 221-4. Construction of privies, privy vaults, septic tanks, cesspools, etc., controlled.
- § 221-5. Installation of toilet facilities, connection to public sewer required.

#### ARTICLE III Private Sewage Disposal

- § 221-6. When allowed.
- § 221-7. Permit required.
- § 221-8. Inspection.
- § 221-9. Compliance with state health recommendations required.
- § 221-10. Connection to public sewer required when available.
- § 221-11. Operation at owner's expense.
- § 221-12. Health Officer may impose additional requirements.
- § 221-13. Connection to public sewer to be made within 60 days.

#### ARTICLE IV Building Sewers and Connections

§ 221-14. Permit required.

- § 221-15. Costs to be borne by owner.
- § 221-16. Separate sewer for each building required; exception.
- § 221-17. Use of old sewers; inspection.
- § 221-18. Specifications.
- § 221-19. Elevation.
- § 221-20. Connections prohibited from roof drains, etc.
- § 221-21. Connection to public sewer.
- § 221-22. Notice of connection; supervision required.
- § 221-23. Guarding of excavations; restoration.

#### ARTICLE V Use of the Public Sewers

- § 221-24. Discharge of stormwater, etc., prohibited in sanitary sewers.
- § 221-25. Discharge of stormwater; unpolluted drainage, controlled.
- § 221-26. Wastes or waters prohibited.
- § 221-27. Restricted substances.
- § 221-28. Powers of Manager to control discharge of wastes.
- § 221-29. Grease, oil and sand interceptors.
- § 221-30. Owner to maintain preliminary-treatment facilities.
- § 221-31. Manholes required for industrial wastes.
- § 221-32. Measurements, tests, analyses.
- § 221-33. Special agreements or arrangements for industry.

**ARTICLE VI  
Protection from Damage**

**§ 221-34. Damaging or tampering with sewer; penalty.**

**ARTICLE VII  
Powers and Authority of Inspectors**

**§ 221-35. Entering private property.**

**§ 221-36. Liability of Village and owners of private property.**

**§ 221-37. Easements.**

**ARTICLE VIII  
Penalties for Offenses**

**§ 221-38. Written notice of violation.**

**§ 221-39. Refusal to comply; penalties for offenses.**

**§ 221-40. Village to recover expense, loss and damage.**

**ARTICLE IX  
Validity**

**§ 221-41. Repealer.**

**ARTICLE X  
Sewer Rents**

**§ 221-42. Establishment and imposition of sewer rents.**

**§ 221-43. Billing.**

**§ 221-44. Payment and enforcement.**

**§ 221-45. Sewer fund.**

**ARTICLE XI  
When Effective**

**§ 221-46. When effective.**

**Schedule of Sewer Rents**

**[HISTORY: Adopted by the Board of Trustees of the Village of Saranac Lake 5-16-1966 (Ch. 52 of the 1965 Code). Amendments noted where applicable.]**

**ARTICLE I  
Definitions**

**§ 221-1. Definition of terms used.**

Unless the context specifically indicates otherwise, the meanings of the terms used in this chapter shall be as follows:

**BOD** (denoting biochemical oxygen demand) — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in milligrams per liter.

**BUILDING DRAIN** — That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

**BUILDING SEWER** — The extension from the building drain to the public sewer or other place of disposal.

**COMBINED SEWER** — A sewer receiving both surface runoff and sewage.

**GARBAGE** — Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

**INDUSTRIAL WASTES** — The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

**MAY** — Is permissive. (See "shall.")

**NATURAL OUTLET** — Any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

**PERSONS** — Any individual, firm, company, association, society, corporation or group.

**pH** — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**PROPERLY SHREDDED GARBAGE** — The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than 1/2 inch (1.27 centimeters) in any dimension.

**PUBLIC SEWER** — A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

**SANITARY SEWER** — A sewer which carries sewage and to which stormwater, surface water and groundwater are not intentionally admitted.

**SEWAGE** — A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

**SEWAGE-TREATMENT PLANT** — Any arrangement of devices and structures used for treating sewage.

**SEWAGE WORKS** — All facilities for collecting, pumping, treating and disposing of sewage.

**SEWER** — A pipe or conduit for carrying sewage.

**SHALL** — Is mandatory. (See "may.")

**SLUG** — Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average twenty-four-hour concentration or flow during normal operation.

**STORM DRAIN/STORM SEWER** — A sewer which carries stormwater and surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

**SUPERINTENDENT** — The Village Manager of the Village of Saranac Lake or his authorized deputy, agent or representative.

**SUSPENDED SOLIDS** — Solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

WATERCOURSE — A channel in which a flow of water occurs, either continuously or intermittently.

## ARTICLE II

### Use of Public Sewers Required

#### § 221-2. Unsanitary deposit of waste prohibited.

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village of Saranac Lake, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage or other objectionable waste.

#### § 221-3. Discharge of untreated wastes prohibited.

It shall be unlawful to discharge to any natural outlet within the Village of Saranac Lake, or in any area under the jurisdiction of said Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

#### § 221-4. Construction of privies, privy vaults, septic tanks, cesspools, etc., controlled.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

#### § 221-5. Installation of toilet facilities, connection to public sewer required.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Village and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer, in accordance with the provisions of this chapter, within 90 days after date of official notice to do so, provided that said public sewer is within 100 feet (30.5 meters) of the property line.

## ARTICLE III

### Private Sewage Disposal

#### § 221-6. When allowed.

Where a public sanitary or combined sewer is not available under the provisions of Article II, § 221-5, the building sewer shall be connected to a private sewage-disposal system complying with the provisions of this article.

**§ 221-7. Permit required. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

Before commencement of construction of a private sewage-disposal system, the owner shall first obtain a written permit signed by the Manager. The application for such permit shall be made on a form furnished by the Village, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Manager. A permit and inspection fee of \$25 shall be paid to the Village at the time the application is filed.

**§ 221-8. Inspection.**

A permit for a private sewage-disposal system shall not become effective until the installation is completed to the satisfaction of the Manager. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Manager when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within four hours of the receipt of notice by the Manager or designated agent.

**§ 221-9. Compliance with state health recommendations required.**

The type, capacities, location and layout of a private sewage-disposal system shall comply with all recommendations of the Department of Public Health of the State of New York. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

**§ 221-10. Connection to public sewer required when available.**

At such time as a public sewer becomes available to a property served by a private sewage-disposal system, as provided in Article II, § 221-5, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools and similar private sewage-disposal facilities shall be abandoned and filled with suitable material.

**§ 221-11. Operation at owner's expense.**

The owner shall operate and maintain the private sewage-disposal facilities in a sanitary manner at all times, at no expense to the Village.

**§ 221-12. Health Officer may impose additional requirements.**

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

**§ 221-13. Connection to public sewer to be made within 60 days.**

When a public sewer becomes available, the building sewer shall be connected to said sewer within 60 days and the private sewage-disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

## ARTICLE IV

**Building Sewers and Connections****§ 221-14. Permit required. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village Manager.

**§ 221-15. Costs to be borne by owner.**

All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

**§ 221-16. Separate sewer for each building required; exception.**

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

**§ 221-17. Use of old sewers; inspection.**

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Manager to meet all requirements of this chapter.

**§ 221-18. Specifications.**

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

**§ 221-19. Elevation.**

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.



**§ 221-20. Connections prohibited from roof drains, etc.**

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

**§ 221-21. Connection to public sewer.**

A. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Manager or agent before installation.

B. Connections to public sanitary or combined sewers will require a check valve to be installed on all new sanitary sewer laterals. A check valve will be required to be installed on all repairs or replacements of sanitary sewer laterals. The maintenance and cost will be that of the property owner for the sewer lateral, including the check valve. Check valves will be placed solely on the property owner's land. No check valves will be permitted in the roadway, alley way or sidewalks maintained or owned by the Village of Saranac Lake.

**§ 221-22. Notice of connection; supervision required.**

The applicant for the building-sewer permit shall notify the Manager or agent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Manager or his representative.

**§ 221-23. Guarding of excavations; restoration.**

All excavations for building-sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

**ARTICLE V****Use of the Public Sewers****§ 221-24. Discharge of stormwater, etc., prohibited in sanitary sewers.**

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial-process waters to any sanitary sewers.

**§ 221-25. Discharge of stormwater; unpolluted drainage, controlled.**

A. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or, to a natural outlet approved by the Manager. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Manager to a storm sewer, combined sewer or natural outlet.

B. Connections to the public storm water system will require a check valve to be installed on all new connections. A check valve will be required to be installed on all repairs or replacements of storm water connections, including roof drains, sump pumps, floor drains etc. Maintenance and cost will be that of the property owner for the storm water line, including the check valve. No check valves will be permitted in the roadway, alley way or sidewalks maintained or owned by the Village of Saranac Lake.

**§ 221-26. Wastes or waters prohibited.**

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- B. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage-treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage-treatment plant, including, but not limited to, cyanides in excess of two mg/l as CN in the wastes as discharged to the public sewer.
- C. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- E. Any waters or wastes having pH in excess of 9.5. [Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

**§ 221-27. Restricted substances.**

No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Manager that such wastes can harm either the sewers, sewage-treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Manager will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage-treatment process, capacity of the sewage-treatment plant, degree of treatability of wastes in the sewage-treatment plant, and other pertinent factors. The substances prohibited are:

- A. Any liquid or vapor having a temperature higher than 150° F. (65° C.).
- B. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between and 32° to 150° F. (0° to 65° C.).
- C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Manager or agent.

- D. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- E. Any waters or wastes containing iron, chromium, copper, zinc, mercury and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Manager for such materials. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]
- F. Any waters or wastes containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the Manager as necessary after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager in compliance with applicable state or federal regulations.
- H. (Reserved)<sup>1</sup>
- I. Materials which exert or cause:
- (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage-treatment works.
  - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage-treatment processes employed, or are amenable to treatment only to such degree that the sewage-treatment-plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

#### § 221-28. Powers of Manager to control discharge of wastes.

If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in § 221-26 of this article, and which, in the judgment of the Manager or agent, may have a

---

1. Editor's Note: Former Subsection H, regarding waters having pH in excess of 9.5, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I). See now § 221-26E.

deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Manager may:

- A. Reject the wastes;
- B. Require pretreatment to an acceptable condition for discharge to the public sewers;
- C. Require control over the quantities and rates of discharge; and/or
- D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of § 221-33 of this article.

If the Manager permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Manager, and subject to the requirements of all applicable codes, ordinances and laws.

#### **§ 221-29. Grease, oil and sand interceptors.**

Grease, oil and sand interceptors shall be provided when, in the opinion of the Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Manager and shall be located as to be readily and easily accessible for cleaning and inspection.

#### **§ 221-30. Owner to maintain preliminary-treatment facilities.**

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

#### **§ 221-31. Manholes required for industrial wastes.**

When required by the Manager or agent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Manager. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

#### **§ 221-32. Measurements, tests, analyses.**

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole

provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls whereas pHs are determined from periodic grab samples.)

**§ 221-33. Special agreements or arrangements for industry.**

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefor, by the industrial concern.

ARTICLE VI  
**Protection from Damage**

**§ 221-34. Damaging or tampering with sewer; penalty.**

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VII  
**Powers and Authority of Inspectors**

**§ 221-35. Entering private property.**

The Manager or agent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provision of this chapter. The Manager or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

**§ 221-36. Liability of Village and owners of private property.**

While performing the necessary work on private properties referred to in § 221-35 above, the Manager or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for

injury or death to the Village employees, and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 221-31.

**§ 221-37. Easements.**

The Manager and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VIII  
**Penalties for Offenses**

**§ 221-38. Written notice of violation.**

Any person found to be violating any provision of this chapter, except Article VI, shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

**§ 221-39. Refusal to comply; penalties for offenses.**

Any person who shall continue any violation beyond the time limit provided for in § 221-38 shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in the amount not exceeding \$25 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

**§ 221-40. Village to recover expense, loss and damage.**

Any person violating any of the provisions of this chapter shall become liable to the Village for any expense, loss or damage occasioned the Village by reason of such violation.

ARTICLE IX  
**Validity**

**§ 221-41. Repealer.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

## ARTICLE X

## Sewer Rents

[Added 6-12-1980 by L.L. No. 5-1980]

**§ 221-42. Establishment and imposition of sewer rents.** [Amended 6-4-1984 by L.L. No. 2-1984; 5-11-1987 by L.L. No. 3-1987; 5-23-1988 by L.L. No. 1-1988; 5-22-1995 by L.L. No. 3-1995; 5-28-1996 by L.L. No. 2-1996; 5-12-1997 by L.L. No. 1-1997; \_\_\_\_\_ by L.L. No. 2-2002; 6-13-2005 by L.L. No. 2-2005; 5-15-2006 by L.L. No. 1-2006; 5-14-2007 by L.L. No. 2-2007; 5-12-2008 by L.L. No. 4-2008; 5-14-2012 by L.L. No. 1-2012; 4-22-2013 by L.L. No. 1-2013; 4-26-2010 by L.L. No. 3-2014; 6-27-2011 by L.L. No. 10-2014; 5-11-2015 by L.L. No. 3-2015; 4-11-2016 by L.L. No. 1-2016; 3-20-2017 by L.L. No. 2-2017; 3-26-2018 by L.L. No. 1-2018; 4-8-2019 by L.L. No. 1-2019; 4-13-2020 by L.L. No. 4-2020; 4-12-2021 by L.L. No. 1-2021]

There is hereby established and imposed the following schedule of sewer rents for the utilization of the sewer system of the Village.<sup>2</sup>

**§ 221-43. Billing.** [Amended 6-4-1984 by L.L. No. 2-1984]

- A. All bills shall be rendered annually for the period of June 1 through May 31 of each fiscal year, with payments in full due on or before July 31 of that fiscal year.
- B. On request, payment shall be allowed in no more than four equal installments, with the final installment to be made no later than January 31 of that fiscal year.
- C. An interest charge of 1 1/2% per month shall be charged to any and all unpaid balance, including all installment payments, remaining after July 31 until said balance is paid in full, including all interest incurred thereon to the date of payment.

**§ 221-44. Payment and enforcement.** [Amended 6-4-1984 by L.L. No. 2-1984]

Said sewer rents shall be payable, collectible and enforceable in the manner provided by law for the payment, collection and enforcement of water charges.

**§ 221-45. Sewer fund.**

The revenue derived from the sewer rentals imposed hereunder, including penalties and interest thereon, shall be kept in a separate and distinct fund to be known as the "sewer fund." Such fund shall be used for any purpose authorized by law.

---

2. Editor's Note: The Schedule of Sewer Rents is included as an attachment to this chapter.

ARTICLE XI

**When Effective**

**[Amended 6-12-1980 by L.L. No. 5-1980; 6-4-1984 by L.L. No. 2-1984]**

**§ 221-46. When effective.**

This chapter shall be effective immediately.